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SENSITIVE
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IO/HS FOR ROBERT DOWNES
USUN NEW YORK FOR MARY MCLEOD

E.O. 12958: N/A
TAGS: [PREL](#) [EAID](#) [ECON](#)
SUBJECT: DEMARCHE REQUEST - ELECTION FOR DIRECTOR GENERAL OF
INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

REF: USUN ROME 0042

Summary and Action Request

11. (SBU) Mission believes that a U.S. citizen candidate is by far the most qualified of the six candidates competing for the November 25 election for the next Director General (DG) of the International Development Law Organization (IDLO) and recommends that the American candidate, Thomas McInerney, be designated as the official U.S. candidate for this position. If such a determination is made, Mission will advocate for McInerney among Rome-based delegations of the 21-member country organization and recommends that the Department send demarches to member states using the points in paragraph 9. End Summary and Action Request.

IDLO Advances Rule-of-Law

12. (U) Originally founded in 1983 with USAID seed money, IDLO has grown into a intergovernmental body with 22 member states and an annual budget of over 20 million Euro, all of which is provided by voluntary contributions. IDLO has permanent observer status at the United Nations and enjoys a reputation as the premier organization at the nexus of law and development. IDLO has a clear strategy focusing on how to improve rule-of-law in countries in order to achieve development goals. During the Ambassador's presentation of credentials to IDLO on October 15, DG William Loris described the positive impact IDLO is making in promoting rule-of-law, particularly in Afghanistan, Sudan, Kenya and the Central African Republic. The largest contributors are the Netherlands, United States and Italy, in that order, with a U.S. contribution of 300,000 dollars last year.

Six Candidates for DG Position

¶3. (SBU) U.S. citizen William Loris, who helped establish the organization almost thirty years ago, has served his full term and his successor will be elected at the November 25 meeting of the General Assembly. Following the established rules of procedure, a short list of six candidates was selected, including Tom McInerney-of the United States. On September 17 and 18 interviews were conducted to determine the best qualified candidate for the position. All member states were invited to participate in the interviews and most did. The Mission representative to the interviews found McInerney to be by far the most qualified candidate given his demonstrated experience in rule-of-law and development. In particular, McInerney has served with IDLO for seven years; first as General Counsel and currently as Director of Research, Policy, and Strategic Initiatives. McInerney is the architect of IDLOs Strategic Plan which was adopted by the member states in November 2008.

¶4. (SBU) Mission believes the only completely unacceptable candidate on the short list is the well-connected Italian nominee, former Ambassador Antonio Badini. Badini is retired from the Italian diplomatic service where he held the rank of Ambassador most recently from 2003-2007 in Egypt. He also served as Ambassador to Norway and, at one point in his career, was a Foreign Policy Advisor to former Prime Minister Bettino Craxi. Badini rambled throughout the interview session, failed to respond to specific questions, was visibly aggressive towards current IDLO management and has no legal background whatsoever. The other four candidates have relatively little job-related experience and none are being actively supported by member countries.

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Italy Seeks to Capture IDLO DG

¶5. (SBU) Despite the glaring shortcomings of its candidate, the Government of Italy has already begun an aggressive lobbying campaign to promote Badini through advocacy to member state Ambassadors in Rome, demarches to capitals and interventions by Italian Undersecretary of State Stefania Craxi. The Italian effort has already led to solid support from Paraguay. Mission has heard from another member state that the GOI is promising to increase its voluntary contributions to IDLO if the Italian candidate is selected. The implication, of course, is that funding would be decreased if their candidate is not selected.

Action Request

¶6. (SBU) Mission recommends that the Department designate McInerney as the official U.S. candidate and that both the Mission and Washington promote his candidacy with strong USG advocacy, especially since his election would help consolidate the recent governance and internal reorganizations that have set IDLO on a course for results-based management, transparency and accountability. Ambassador Cousin would advocate on McInerney's behalf with the Rome-based ambassadors from other members states and also host a reception in his honor to further promote his

candidacy. In addition, we suggest that Washington send a demarche to the IDLO member states listed in paragraph 7 drawing on the following points:

- The International Development Law Organization (IDLO) has contributed toward development and improved rule-of-law throughout the world since 1983.

- The United States strongly supports IDLO as it consolidates its recent reorganization toward results-based management in order to best achieve its strategic goals.

- Toward this end, the U.S. would like to see the most qualified candidate for the position of Director General selected at the November 25 IDLO Assembly of Parties. The United States supports Thomas McInerney and believes his experience over the past seven years at IDLO makes him uniquely qualified to serve as Director General.

- Mr. McInerney is the only candidate with the broad background in rule-of-law and development that is critical to the position. In addition, Mr. McInerney was principally responsible for IDLO's Strategic Plan as adopted by the Assembly of Parties in November 2008.

- We encourage your government to support Mr. McInerney in the upcoming elections on November 25 in Rome so that IDLO can continue to contribute positively to development and the rule-of-law.

- We would appreciate knowing how your government intends to vote in the upcoming election and would be pleased to provide any additional information needed on Mr. McInerney.

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17. (U) Suggested recipient countries for the demarche are: Australia, Jordan, Netherlands, Norway, Austria, Bulgaria, China, Colombia, Ecuador, Egypt, Kenya, Paraguay, Philippines, Romania, Tunisia, Sudan, Italy, France, Burkina Faso, and Senegal. A similar demarche could also be delivered to the OPEC Fund for International Development in Vienna as it will have a vote as a new member at the November 25 meeting.

18. (SBU) The point of contact at USUN Rome for IDLO is Keith Heffern, telephone: 39-06-4674-3528, e-mail: HeffernKL@state.gov. COUSIN